

**CITY OF DELTONA, FLORIDA
AFFORDABLE HOUSING ADVISORY COMMITTEE
TUESDAY, DECEMBER 16, 2014 @ 6:00 p.m.**

MINUTES

A Regular Meeting of the Affordable Housing Advisory Committee was held on Tuesday, December 16, 2014, at the Deltona City Hall, Commission Chambers, 2345 Providence Boulevard, Deltona, Florida, 32725

1. CALL TO ORDER:

The meeting was called to order at 6:06 p.m. by Chairmen Ruben Colon.

2. ROLL CALL:

Chairman	Ruben Colon	Present
Vice Chairman	Eric James	Present
Member	William L. Bradley, Jr.	Present
Member	Jodi Pena Castaldi	Present
Member	John Enyart	Excused
Member	Yordanis Gonzalez	Present
Member	Peter J. Kurkjian	Present
Member	Steven L. Sukow, II	Present (Arrived at 6:10 p.m.)
Member	Patricia A. Ulicny	Excused
Member	Michael E. Williams	Present (Arrived at 6:19 p.m.)

Also present were: Housing and Community Development - Mari Leisen, Financial Analyst, Angelia Briggs, Housing Coordinator, and Denise Brooke, Administrative Assistant 1. From Planning & Development Services – Ron Paradise, Assistant Director, and from the City Attorney’s Office – Wade Vose.

3. APPROVAL OF MINUTES

Member Castaldi moved to approve the November 18, 2014 meeting minutes. After Member James seconded the motion, it carried unanimously.

4. “GOVERNMENT IN THE SUNSHINE” LAWS – PRESENTED BY THE CITY ATTORNEY’S OFFICE – WADE VOSE:

At this time Chairman Colon directed the members to the City Attorney, Wade Vose. Attorney Vose stated he would be going over the obligations and requirements under the Florida Sunshine Laws and the Florida Public Records laws that are applicable to the Affordable Housing Advisory Committee. Attorney Vose asked if they would direct their attention to the handout’s

1 on the 2014 Sunshine Law and Overview and the 2014 Public Records Overview, both from the
2 Attorney General's Office. He explained the committee's obligations and requirements under
3 the Florida Sunshine and discussed the Public Records Law's as applicable to the committee.
4 Attorney Vose hit on the high points and fielded questions at the end of the presentations:

5
6 Staff asked if it would be a violation if a committee member contacted staff and asked a
7 question. Attorney Vose stated that this is a good example to go over and explained that what
8 the Sunshine Law would prohibit is any two committee members of a collegial body
9 communicating outside a Sunshine Law meeting but staff is not part of that collegial body and
10 therefore no problem for a committee member to speak to a staff member.

11
12 Member Kurkjian asked if two committee members can talk during the normal course of
13 business, for instance he and Member Williams are both realtors and there could be a real estate
14 transaction they needed to discuss. Attorney Vose responded that they are not prohibited from
15 having any communication between the two of them, they can talk about transactions and so
16 forth but they cannot communicate about matters that may or reasonably may come before the
17 committee. Staff commented that there could be an issue if the transaction involved for example
18 (Down Payment Assistance) because it would be something that would be brought to the
19 committee to vote on. Attorney Vose responded, if a conversation dealing with a particular
20 transaction has subject matter concerning a type of housing matter that the committee will be
21 voting on, or could be voted on, this would be subject matter that should not be discussed outside
22 a Sunshine Law noticed meeting. He went on to say that there are 3 ways it could be handled;
23 the first way is to abstain from talking about it period. The second way is if there are portions of
24 the discussion that relate directly to items to be brought in front of the committee, wait and have
25 the discussion at an open meeting with the committee. The third option is something not done
26 very often, but if it is necessary, staff can arrange for a special meeting of less than the entire
27 committee. It is also at the discretion of the staff as whether or not it is an administrative matter.
28 He explained the technical possibilities of the Sunshine Law can meet the 3rd scenario; 1. Notice
29 the public of the meeting between the two members. 2. Hold the meeting in a public place. 3.
30 Take minutes and have them transcribed and make them available for public inspection.
31 Member Kurkjian asked if it would be best to avoid any business pertaining to individuals that
32 need assistance. Attorney Vose responded not necessarily; only if the transaction involves
33 interactions and discussion with another member of this committee with regard to something that
34 may come before the committee.

35
36 Attorney Vose continued with his presentation on Sunshine Laws and advised all the members
37 that if they have any questions, ask now or otherwise be sure to ask staff or contact the City
38 Attorney's Office. They will be glad to render an opinion to any of the members as to any
39 communications the committee members are allowed to have in a particular instance.

40
41 Member Sukow asked what if a member knew of two other members on the committee that were
42 violating the Sunshine Laws. Attorney Vose gave examples on what would be a violation and
43 what would not be a violation. Otherwise absent any potential criminal liability he would advise
44 that if you know about it and you know it is a real and material violation you should contact the
45 City Attorney's Office.

Member Williams asked if it was okay for members who are friends and have not seen each other in a while to talk and catch up. Attorney Vose revisited the question asked previously by Member Kurkjian concerning himself and Member Williams. Attorney Vose repeated his answer on the friendship and professional working connection between committee members.

Attorney Vose stated the issue with Member Williams and Member Kurkjian working real-estate transactions together and being on the committee may need to be looked at closer by the City Attorney's Office relating to actions that may come out of this committee and how they may directly affect those deals. He went on to describe penalties and fines if violations occur.

Attorney Vose, at this time, gave his presentation on the rules and regulations of the Public Records Overview.

Chairman Colon inquired if there were time limits concerning notes, etc. Attorney Vose explained items (emails and notes) to be kept with a brief overview and the time limits.

Chairman Colon asked if the personal information on Housing Assistance applications submitted for Down Payment Assistance or other programs are open for public records review. Attorney Vose explained that staff will redact sensitive information such as social security numbers and bank accounts before releasing any copies of applications or other documents for a public records request.

Attorney Vose at this time asked if anyone had any questions. There were no questions and Attorney Vose ended his presentations.

5. UPDATE ON AMENDMENT TO CURRENT LHAP:

Mr. Paradise stated the staff was able to advance the recommended changes to the Owner Occupied Rehabilitation strategy made by the AHAC committee to the City Commission meeting on December 15, 2014. The City Commission approved the resolution. Staff has forwarded those changes to Robert Dearduff, chief executive of the Florida Housing Finance Corporation. Mr. Paradise explained some of the scenarios the submitted resolution would go through at the Florida Housing Finance Corporation. Member Williams stated he was at the Commission meeting and agreed everything went through. He asked if everyone received a copy of the strikethrough that was attached to the agenda, Mr. Paradise responded saying that strikethrough that was attached to the agenda and presented to the City Commission is the same strikethrough copy supplied to the AHAC committee in their binders and sent to the Florida Housing Finance Corporation for approval. Member Williams then asked if Mr. Paradise foresees any delays which may come up with the Florida Housing Finance Corporation moving forward and approving the changes. Mr. Paradise explained that staff and himself have had some interaction with the Florida Housing Finance Corporation and Mr. Dearduff and it appears all will be handled quite quickly. Member Williams asked if everything had been sent to Mr. Dearduff and what kind of timeline are we looking at to get this ready for the residents. Mr. Paradise responded yes it had transmitted to Mr. Dearduff and we should have an answer around

the 7th of January and then the next FHFC committee meeting is the 14th of January. The worst case scenario would be the end of January. Staff commented saying the NOFA (Notice of Funding Availability) has to be done for 30 days before the program can be opened to the residents and the NOFA cannot be done until the LHAP is approved. If everything goes as planned, we could be looking at the middle of February assuming everything is approved in a timely fashion. Chairman Colon asked if the AHAC committee could be notified by the 8th in case there is some action that needs to be taken by the committee prior to the 14th FHFC committee meeting. Mr. Paradise stated he would start to make contact with the staff at the Florida Housing Finance Corporation on the status after the holidays and give the committee an update as soon as he could get a status update from the Florida Housing Finance Corporation. Chairman Colon reiterated the need to know as soon as possible in case action needs to be taken by the committee to which Mr. Paradise said as soon as he gets an update it will be forwarded to the committee.

6. COMMENTS:

A. PUBLIC COMMENTS – Chairman Colon asked if there were any comments from the public at this time. NO PUBLIC COMMENTS

B. BOARD COMMENTS –

Member Bradley wanted to commend and thank staff for getting everything to the commission early as requested.

Member Gonzalez said he thinks it is a good idea for the updates so everyone knows and is on the same page for the next meeting.

Member Williams asked at this time if all the funds are available as of now. Staff explained the funds are given in increments and the amount received so far. Member Williams asked what the total amount of funds would be received. Staff replied we will receive about \$393,000. Member Williams asked if there were performance rewards to be obtained in order to get the next allotment of funds. Staff replied no there isn't and gave a brief overview of the time frame how the money should be handled and spent.

Member James had no comments.

Member Castaldi had no comments.

Member Sukow wanted to thank staff for keeping up on things and keeping them informed in a timely manner.

Member Kurkjian other than my Sunshine Law oriented concerns with regards to how any of us transact business with one another, specifically myself and Member Williams, I really don't have any comments in regards with this evenings meeting.

Chairman Colon said he had some conversation with staff via email regarding a press release. He is bringing this up as New Business for our next meeting for discussion on means of communication to the residents about the programs and the funding available. Chairman Colon asked if there was any other funding/grants available other than SHIP funds for this committee to access to further support the residents. Mr. Paradise explained about the various state and federal grants/funding the City has. He stated that the AHAC committee has goals and mandates that must be met in order to keep receiving the funding. Those goals and mandates need to be achieved to receive funding from SHIP for the residents. Chairman Colon reiterated he still wants to explore ways of advertising to get the information out to the public and he still wants to research more on grants and funding for the residents. Staff explained the rules they must follow for advertising and the ways they advertise the information to the community. Member Williams asked if they found other ways of funding that other municipalities are utilizing would they be able to send it to the staff to research for the Committee to use for the residents? Staff replied, yes it is possible and they would review anything the Committee gives to staff to research. Chairman Colon commented on the next agenda and the depth of it and asked if staff could provide in advance some documentation on the items they will be covering so they may come to the meeting informed and ready with questions instead of having to learn about the issues at hand at the meeting. Staff replied they would get the documentation to them as soon as possible so they have time to review it.

C. STAFF COMMENTS –

Mr. Paradise commented there are some very demanding tasks coming up and asked the Committee to please review the information in the binder and other documentation they will be receiving after the holidays.

Ms. Briggs thanked everyone for coming out tonight and to have a happy holiday and she looks forward to working with everyone next year.

Ms. Leisen had no comments.

Ms. Brooke thanked everyone for coming and wished all happy holidays.

7. ADJOURNMENT:

There being no further business, Member James made a motion to adjourn, seconded by Member Castaldi. Chairman Colon announced the meeting adjourned at 7:22p.m.

Ruben Colon, Chairman

1
2
3
4

Denise M. Brooke, Recording Secretary